



**FOLEY
HOAG** LLP
ATTORNEYS AT LAW

FAX RECEIVED

MAY 21 2003

PETITIONS OFFICE

Fax

Date: May 21, 2003

To: United States Patent Office Fax #: 703-308-6916

Confirm#:

Attention: Mail Stop
Petition

Client Matter#: 23709-010.01

From: Kevin A. Oliver

Sender's Number: 1241

User #: 9007

Total Pages Sent (Including Cover Sheet): 3

Office: Boston

Message

In re Application of:

Dempsey et al.

Application No: 09/773,115

Examiner: NYA

Art Unit: 2167

Filed: January 31, 2001

Attorney Document No. CEO-010.01

For: Vector Difference Measures for Data
Classifiers

Enclosed herein for the above-referenced application, subject to a certificate of facsimile dated 20 May 2003, is a Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing (37 CFR 1.137 (f)).

IMPORTANT - PLEASE READ

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION PLEASE TELEPHONE THE SENDER.

BOSTON / 155 Seaport Boulevard / Boston, Massachusetts 02210-2800 / TEL: 617.832.1000 / FAX: 617.832.7000
WASHINGTON, DC / 1747 Pennsylvania Ave., NW / Suite 1200 / Washington, DC 20008-4804 / TEL: 202.223.1200 / FAX: 202.785.8887
Foley Hoag LLP www.foleyhoag.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dempsey et al.

Application No: 09/773,115

Filed: January 31, 2001

For: Vector Difference Measures for Data
Classifiers

Examiner: NYA

Art Unit: 2167

Attorney Document No. CEO-010.01

Certificate of Facsimile Transmission

I hereby certify that the foregoing document is being transmitted by facsimile to the United States Patent Office, Attention Office of Petitions, Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number 703-308-6916.

Maureen T. Prestia May 21, 2003
Maureen T. Prestia Date

United States Patent Office
Attention Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A
FOREIGN OR INTERNATIONAL FILING (37 CFR 1.137(f))**

Sir:

Pursuant to 37 CFR 1.137(f), Applicant hereby petitions for revival of this application under 37 CFR 1.137(b).

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under multinational international treaty that requires publication of applications

09/773,115

Dempsey et al.

eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Applicants hereby give Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c)). Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is January 31, 2002.

Applicants authorize the Commissioner to charge the Petition Fee to Deposit Account Number 06-1448 referencing Attorney Docket Number 90005-408 in amount of \$1,300.00 for large entity (37 CFR 1.17(m)).

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-832-1241.

Date: May 21, 2003
Patent Group
Foley Hoag LLP
155 Seaport Boulevard
World Trade Center West
Boston, MA 02210-2600
Customer Number: 25181

Respectfully Submitted,

Kevin A. Oliver
Kevin A. Oliver
Reg. No. 42,049
Tel. (617) 832-1241
Fax. (617) 832-7000